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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,749	10/16/1999	TAD A. DEFFLER	22074661-255	1735

26453 7590 03/05/2002

BAKER & MCKENZIE
805 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 03/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

AG

Advisory Action

Applicati n N .

09/419,749

Applicant(s)

DEFFLER ET AL

Examiner

Ella Colbert

Art Unit

2172

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 20 February 2002 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-6.

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

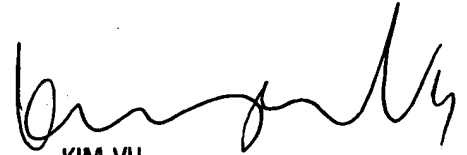
Continuation of 5. does NOT place the application in condition for allowance because: Applicants' arguments have been considered but are not persuasive for the following reasons:

1. Applicants' argue: Francisco et al does not disclose or suggest retrieving a code of instructions associated with the keyword from a registry of keywords as the Examiner suggests has been considered but is not persuasive because the Examiner gave the motivation for this claim limitation as follows: Francisco did not explicitly teach a registry of keywords, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a registry of keywords in view of Francisco's teaching of keywords in the macro language in col. 9, lines 7-15 to incorporate in Francisco a registry of keywords because it is well known in the art that the C language itself has a registry of 33 keywords with the keywords being used in the source code and compiling of the macro language.

2. Applicants' argue: No where in Francisco is there a suggestion of disclosure of extending its macro language has been considered but is not persuasive because it is interpreted that Francisco teaches extending the macro language in col. 15, lines 24-27 (the macro language files 20 have an extension ".d2w"). A macro is defined in programming languages as a name that defines a set of instructions that are substituted for the macro name wherever the name appears in a program (a process called macro expansion (macro extension) when the program is compiled or assembled. Macros are similar to functions in that they can take arguments and in that they are calls to lengthier sets of instructions. Macro expansion (also called macro substitution) is defined as the act of replacing a macro with its defined equivalent.

3. Applicants' argue: the prior art made of record does not suggest or disclose extending a macro command to include commands "initially unknown to the macro language" has been considered but is not persuasive because it is interpreted that Turbo Assembler 3.0, Chapter 14, Using Macros on page 201, lines 4-14 ("... the dummy argument foo would not be recognized"). Macro expansion (extending the macro) is disclosed on page 202, "Local dummy arguments" in lines 19-30 ("... each time the macro expands, will be assigned a unique symbol name").

4. Applicants' argue: Francisco et al alone or in combination with any other prior art made of record, fails to suggest any motivation for, or desirability of the changes expoused in the Office Action has been considered but is not persuasive in view of the arguments discussed above in paragraphs 1-3.



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